IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO.1258 OF 2005

WITH

CIVIL APPLICATION NOS.1761, 2012 &1913 OF 2005

Chandrakant Rajaram Naik-Satam &Ors. ....Appellants

Vs.

Anant Lavaraj Lad & Ors. ...Respondent.

.....

Mr.S.P.Thorat for the Appellants.

Mr.S.A.Sawantfor Respondent No.11.

.....

CORAM : DR.D.Y.CHANDRACHUD, J.

December 14, 2005.

P.C. :

At the hearing of this appeal, Counsel appearing on behalf of the Appellants states that the Appellants do not claim a preferential right in respect of religious worship or in the performance of religious ceremonies, over others, in respect of Rajsatta or Purvasatta.

Learned Counsel for the Appellants,

however, submits that the Appellants apprehend that they may be excluded even from ordinary worship like any other member of the community. In my view, there is no basis in the submission of the Appellants since it was the Appellants who instituted a suit claiming preferential rights in the observance of religious ceremonies and worship. Besides, Mr.Sawant, Learned Counsel appearing on behalf of Respondent No.11 states that the Respondents have not filed any suit nor is there any attempt to exclude the Appellants from worship, like any other member of the community. The judgment of the First Appellate Court does not confer any higher rights upon the Respondents other than as members of the community at large and, there is no basis in the apprehension expressed on behalf of the Appellants.

No other submission has been urged. Hence, the Second Appeal shall stand dismissed.

In view of the disposal of the appeal, the Civil Applications do not survive and are accordingly disposed of.

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